

THE TOWN OF FOREST HEIGHTS
RESOLUTION 13-18

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS,
MARYLAND CLARIFYING AND RATIFYING THE APPOINTMENT OF ELECTION BOARD
MEMBERS FOR THE 2018 GENERAL ELECTION AND BEYOND**

Introduced By: Habeeb-Ullah Muhammad, Mayor

WHEREAS, pursuant to Section 33-24 of the Charter, the terms of members of the Town Board of Elections shall typically begin on the first Monday in March in the year in which they are appointed and shall run for two years; and

WHEREAS, according to the Town Charter, one (1) substitute member shall act as a member of such Board in the absence of any one of the regular members and while so acting shall exercise the same authority and fulfill the same duties as a regular member shall be sought to be appointed by the Mayor with the approval of the Council prior to the next election pursuant to Section 33-24 of the Town Charter; and

WHEREAS, according to § 33-24 of the Town Charter, the Board of Election shall appoint one of its members as Chairman, and any vacancies on the Board shall be filled by the Mayor with the approval of the Council for the remainder of the unexpired term, and the compensation of the Board shall be determined by the Council; and

WHEREAS, according to § 33-26 of the Town Charter, the Board may appoint election clerks or employees to assist it in any of its duties.

WHEREAS, the current Board members (Mr. Lindell Murphy (Chairman), Ms. Emma Rowell and Ms. Veronica Spears), who have conducted and certified past elections, were duly appointed and sworn in by the Mayor pursuant to Resolution 17-15 dated April 6, 2015, and pursuant to Resolution 09-17 dated February 15, 2017; and

WHEREAS, the Mayor and Council had found pursuant to Resolution 09-18 that Mr. Lindell Murphy, Ms. Emma Rowell and Ms. Veronica Spears remained eligible and willing to serve; except for Mr. Murphy, who had allegedly tendered his verbal resignation and allegedly wished to step down from the duties of Chairman and as a member of the Board of Elections; and

WHEREAS, as a result of the above findings, the Mayor and Council pursuant to Resolution 09-18 dated February 21, 2018, approved the Mayor's appointment of Mr. Freddie L. Colston as a new member of the Town Board of Elections to replace Mr. Lindell Murphy and the Council further approved the appointment of Elaine Pittman as a substitute member of said Board, which was a vacant position; however, Mr. Colston has yet to assume the office or is willing to resign; and

WHEREAS, the Town Clerk reports that Mr. Lindell Murphy did not formally resign his office by submitting a letter of resignation and does not now wish to resign or has otherwise withdrawn his oral

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resignation; therefore, the Council acted under the mistaken belief that Mr. Murphy had properly resigned his office; and

WHEREAS, the Town Council finds that Mr. Freddie Colston has not assumed the office of Town Election Board member and that Mr. Lindell Murphy has not resigned from his office, and therefore all three appointed members (Mr. Lindell Murphy, Ms. Emma Rowell and Ms. Veronica Spears) along with Elaine Pittman, as the previously appointed alternate, shall compose the Forest Heights Elections Board for the 2018 General Election; and

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves the following composition and status of the Town of Forest Heights Board of Elections:

Section 1. **Mr. Lindell Murphy (Chairman), Ms. Emma Rowell and Ms. Veronica Spears** shall continue to serve out their respective terms as members of the Board of Elections of The Town of Forest Heights for the remainder of the two-year term which will expire on the first Monday in March, 2019, provided a successor is appointed and is sworn into office.

Section 2. **Ms. Elaine Pittman**, a resident of the Town, who meets the qualifications for office pursuant to the Charter and has or will subscribe to the oath of office is hereby confirmed, ratified and re-appointed to serve as a substitute member of the Board of Elections of The Town of Forest Heights for the remainder of the two year term left vacant by her predecessor which will expire on the first Monday in March, 2019, or when a successor is appointed and is sworn into office; and

Section 3. **Mr. Freddie L. Colston**, a resident of the Town, in lieu of serving as a Board member, is nonetheless hereby approved and appointed to serve as an election clerk or other employee of the Board of Elections provided said Board requests in writing to the Mayor that it wishes to employ said resident for such a position, and Mr. Colston accepts such temporary and part-time employment; and

BE IT FURTHER RESOLVED, that the customary amount of compensation for the appointed Board Members of \$300.00 or other employees per election taken from the appropriation in Line Item 7008 of the FY 18 Budget shall be paid as authorized; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its passage.

PASSED this 5th day of March 2018.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

KENNEDY II

MCLAURIN

Yea
Yea
Yea

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BARNES

HINES

SMITH-BARNES

BROWNSON

OKA
OKA
OKA
OKA

ATTEST:

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

By: *SIGNATURE ON FILE*

Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE

By: *SIGNATURE ON FILE*
Jonathon Kennedy II, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 5th day of March 2018 with 9 Aye votes and 0 Nay vote the aforesaid Resolution 13-18 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk